

Judge Philip R. Martinez

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

FILED

2012 FEB 22 AM 9:21

UNITED STATES OF AMERICA,

Plaintiff,

v.

JUAN CANALES

Defendants.

CRIMINAL NO. EP-12-CR-

**SEALED**

**INDICTMENT**

CT 1: 21:846 & 841(a)(1)-Conspiracy to  
Possess a Controlled Substance with  
Intent to Distribute;

CT 2: 21:856(a)(1)- Establishment  
of Manufacturing Operations

CT 3: 21:856(a)(1)- Establishment  
of Manufacturing Operations

CT 4: 21:856(a)(1)- Establishment  
of Manufacturing Operations

CT 5: 21:841(a)(1)-Possession of a  
Controlled Substance with Intent to  
Distribute & Aiding and Abetting

Notice of Government's Demand For  
Forfeiture

THE GRAND JURY CHARGES:

**EP 12CR0324**

**COUNT ONE**

(21 U.S.C. §§ 846 & 841(a)(1) & 841(b)(1)(B)(vii))

That beginning on or about November 1, 2010, and continuing through and including the date  
of this indictment, in the Western District of Texas, Defendants,

**JUAN CANALES**

knowingly, intentionally, and unlawfully conspired, combined, confederated, and agreed together,  
and with others to the Grand Jury known and unknown, to commit offenses against the United  
States, in violation of Title 21, United States Code, Section 846, that is to say, they conspired to  
possess a controlled substance, which offense involved 50 kilograms or more of a mixture or

substance containing a detectable amount of marijuana, a Schedule I Controlled Substance, with intent to distribute same, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

**COUNT TWO**  
(21 U.S.C. § 856(a)(1))

That on or about September 9, 2011, in the Western District of Texas, Defendant,

did knowingly and intentionally use and maintain a place at 1000 Coker Road, El Paso County, Texas, for the purpose of distributing marijuana, a Schedule I Controlled Substance, in violation of Title 21, United States Code, Section 856(a)(1).

**COUNT THREE**  
(21 U.S.C. § 856(a)(1))

That on or about September 16, 2011, in the Western District of Texas, Defendant,

did knowingly and intentionally use and maintain a place at 1000 Coker Road, El Paso County, Texas, for the purpose of distributing marijuana, a Schedule I Controlled Substance, in violation of Title 21, United States Code, Section 856(a)(1).

**COUNT FOUR**  
(21 U.S.C. § 856(a)(1))

That on or about October 22, 2011, in the Western District of Texas, Defendant,

knowingly and intentionally use and maintain a place at 1000 Coker Road, El Paso County, Texas, for the purpose of distributing marijuana, a Schedule I Controlled Substance, in violation of Title 21, United States Code, Section 856(a)(1).

**COUNT FIVE**

(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C) & 18 U.S.C. § 2)

That beginning on or about October 22, 2011, in the Western District of Texas, Defendants,

**JUAN CANALES**

knowingly and intentionally possessed with intent to distribute and aided and abetted the knowing and intentional possession with intent to distribute a controlled substance, which offense involved fifty kilograms or more of a mixture or substance containing a detectable amount of marijuana, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C) and Title 18, United States Code, Section 2.

**NOTICE OF GOVERNMENT'S DEMAND FOR FORFEITURE**  
**AS TO COUNTS ONE THROUGH FIVE**

(21 U.S.C. § 853)

I. Upon the conviction of one or more of the controlled substance offenses alleged in Counts One through Five of this Indictment, Defendants,

**JUAN CANALES**

shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendants obtained directly or indirectly as a result of the said violations, and any and all property used or intended to be used in any manner or part to commit or to facilitate the commission of the said violations, including but not limited to a sum in United States currency representing the amount of property obtained as a result of the offenses, for which the defendants are jointly and severally liable.

**Substitute Assets Provision**

II. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

A TRUE BILL  
ORIGINAL SIGNATURE  
REDACTED PURSUANT TO  
E-GOVERNMENT ACT OF 2002  
\_\_\_\_\_  
FOREPERSON OF THE GRAND JURY

ROBERT PITMAN  
UNITED STATES ATTORNEY

BY: 

Assistant U.S. Attorney